

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal Case No. 2:06-CR-169-WHA
)	
WILMONT TIMOTHY BARNETT)	

MOTION FOR RELEASE FROM CUSTODY

COMES NOW Defendant Wilmont Timothy Barnett, by and through counsel, to move for release from custody pending the trial of this cause. Defendant asserts that there is a “condition or combination of conditions that will reasonably assure the appearance of the person as required and the safety of any other person and the community,” within the meaning of 18 USC §3142, the Bail Reform Act of 1984.

Defendant is a native of Chilton County, presently living in Jefferson County. He has long-standing ties to the Clanton community; his mother and other family members live in Chilton County. If permitted to remain free of detention, he would live with his wife and five children. He is not a flight risk.

Defendant’s prior convictions were for drug-related offenses, not for crimes of violence, and the present charge does not allege any violent behavior. He does not pose a danger to the safety of any person.

Defendant has cooperated with law enforcement personnel in this case.

Defendant proposes the following release plan and conditions:

1. Defendant agrees to such electronic monitoring as may be required. He agrees to remain in his home except when permitted to go to work, to church (Morning Star Baptist

Church in Clanton), to court, to meet with his lawyer, or to any other places or events as approved in advance by his pretrial services officer..

2. Defendant agrees to move from his residence in Birmingham, Alabama, to the residence of his mother, Deborah Wright, in Clanton, Alabama, so as to remain at all times within the Middle District of Alabama.
3. Defendant will reside in Clanton with his wife, Stephanie Barnett, and his five children.
4. Defendant agrees to maintain gainful employment with Independent Fence and Storage in Clanton under the supervision of Michael Deason. Defendant's normal work hours are expected to be 7:00 a.m. - 5:00 p.m., subject to weather conditions.
5. Defendant agrees to refrain from use of alcoholic beverages and controlled substances, and he agrees to such drug testing as may be directed by his pretrial services officer.
6. Defendant agrees to contact his pretrial services officer by telephone on a daily basis and appear in person as required.
7. Defendant agrees to continue attending services at Morning Star Baptist Church in Clanton every Sunday.
8. Defendant agrees to execute a \$25,000.00 signature bond.

WHEREFORE, the premises considered, Defendant prays that the Court will overrule the government's motion for detention and will order Defendant released pending further proceedings in this case.

RESPECTFULLY SUBMITTED, this __1st__ day of March, 2007.

/s/ JAY LEWIS
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Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the _1st_ day of March, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following parties or counsel:

A. Clark Morris
Office of the United States Attorney
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